

### **REMARKS**

Applicants respectfully request reconsideration of the present Application. Claims 1, 14, 21, and 23 have been amended herein without introducing new matter. Claims 1-19 and 21-32 are currently pending and believed to be in condition for allowance.

### **Objections**

Claims 1, 14, and 21 have been amended to cure the grammatical errors stated in the pending Office Action. Therefore, Applicants request the objections be withdrawn.

### **Rejections based on 35 U.S.C. § 103**

Claims 1-32 were rejected under 35 U.S.C. § 103(a) for allegedly being obvious in view of the combination of U.S. Patent No. 7,093,296 to Nusser, et al. (Nusser), U.S. Publication No. 2005/0280853 to Newman et al. (Newman), U.S. Patent No. 7,080,058 to Upadhayayula et al. (Upadhayayula), and U.S. Patent No. 7,042,583 to Wilkins et al. (Wilkins). Claim 20 was canceled in the last response, rendering its rejection moot. In light of the above amendments and for the following reasons, Applicants believe the cited references do not obviate claims 1-19 and 21-32.

To establish a *prima facie* case of obviousness, the prior-art references must teach or suggest all the claim limitations. See MPEP § 2143. The teaching or suggestion, and the reasonable expectation of success must be found in the prior art and not be based on the Applicants' disclosure. MPEP § 2143 (referencing *In re Vaeck*, 947 F.2d 488, 493 (Fed. Cir. 1991)). Additionally, there must a reasonable expectation of success. See MPEP § 2143. The "teaching or suggestion" to make the claimed combination and the "reasonable expectation of success" must both be found in the prior art, not in the Applicants' disclosure. MPEP § 2143 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)). Also, if an independent

claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious. *See* MPEP § 2143.03; *see also, In re Fine*, 5 USPQ 2d 1596, 1600 (Fed. Cir. 1988).

At least one embodiment described in the subject application is directed towards a container for a profile format that has a number of software-enabled components. *See Specification*, FIG. 4 and ¶¶ 0055-0061. Specifically, these components may be configured to provide a level of transparency to color data in the profile format by providing a user access to various properties associated with the color data. *Id.*, at ¶ 0057. These properties may include a gamut mapping to “make it easier for user [sic] and programmers to access the parts of the profile transparently compared with ICC profiles.” *Id.* Access to the profile is provided through an editor component that “allows a user to make edits to the profile . . . without use of a special program specifically designed for the purpose of editing a profile.” *Id.*, at ¶ 0060.

Independent claims 1, 14, 21, and 23 have been amended herein to recite, in part, containers that “provide a user operating the **generic text editor** access to a **gamut mapping** associated with the additional extensions of color space information.” (emphasis added). Applicants submit that none of the cited references teach or suggest a container that provides a user access to a gamut mapping of color space information, let alone provide access to such a gamut through a generic text editor. At best, Nusser mentions techniques for retrieving usage rights associated with a data media. *Nusser*, col. 4, lines 39-43. Yet, Nusser never mentions transparency with respect to a gamut mapping or using a generic text editor to access the gamut mapping. The other references likewise fall short of teaching the aforesaid container features of claims 1, 14, 21, and 23.

Therefore, Applicants respectfully submit that the cited references do not obviate independent claims 1, 14, 21, and 24, as amended herein. Accordingly, the § 103(a) rejection of

these claims should be withdrawn. Furthermore, Applicants respectfully submit that dependent claims 2-13, 15-19, 22-23, and 25-32 are also not obvious in light of the asserted references based on their dependency from independent claims 1, 14, 21, and 24, as amended herein.

### **CONCLUSION**

For at least the reasons stated above, claims 1-19 and 21-32 are now in condition for allowance. Applicants respectfully request withdrawal of the pending rejections and allowance of the claims. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned at 816-474-6550 or [phoeller@shb.com](mailto:phoeller@shb.com) (such communication via email is herein expressly granted). The Commissioner is hereby authorized to charge any additional amount required for this response to Deposit Account No. 19-2112.

Respectfully submitted,

/Peter J. Hoeller/

Peter J. Hoeller  
Reg. No. 61,468

PJH/tq  
SHOOK, HARDY & BACON L.L.P.  
2555 Grand Blvd.  
Kansas City, MO 64108-2613  
816-474-6550